

TEXT Minute Entry for a recorded telephonic Status Conference held on 11/20/2023 before U.S. Magistrate Judge Andrew T. Baxter: The parties and the court discuss [64](#) defendants' letter re: the death of defendant John Folmer. The court reviewed the standards of Fed. R. Civ. P. 25 relating to the substitution for deceased parties. The parties stipulated that [64](#) defendants' letter constitutes a valid suggestion of death with respect to defendant John Folmer under Rule 25. However, that suggestion of death should be served upon the executor or other representative of defendant Folmer, pursuant to Fed. R. Civ. P. 4. Defense counsel will follow-up with Mr. Folmer's spouse or other family to determine whether they have or will be having an estate representative appointed. The court discussed with the parties defendants notice to inspect plaintiff's facility, that was recently served on plaintiff's counsel. Plaintiff's counsel objects to the inspection, scheduled for 11/30/2023 and was preparing to prepare and file a motion to quash the notice and for a protective order. The parties agreed to negotiate further with respect to the scope of such an inspection, which, if allowed, will be delayed until mid- to late-March. Defendant will re-serve a revised inspection notice on plaintiff by 12/29/2023. Unless the parties reach an agreement with respect to the inspection, plaintiff may file a motion to quash and/or for a protective order by 1/16/2024. By 1/30/2024, defense counsel may file a response to any such motion. Pretrial deadlines have been reset, as reflected in the accompanying text order. Appearances: Jesse Ryder, Esq. for plaintiff; Philip Gulisano, Esq. for defendants. (MS Teams. Time: 10:28 AM - 11:06 AM.) (kmc) (Entered: 11/20/2023)